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## JOHNSON COUNTY GOVERNMENT

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Larry Potter, County Mayor

222 West Main Street

Mountain City, TN 37683

### FOR IMMEDIATE RELEASE

February 22, 2023

***In response to the Op/Ed in the most recent edition of The Tomahawk Newspaper entitled "IS TRANSPARENCY DEAD IN JOHNSON COUNTY," Mayor Larry Potter has offered the following rebuttal to the accusations leveled by the Editor.***

**MOUNTAIN CITY, TENNESSEE** -- The word "transparency" is like a two-sided coin. One side is the duty of the county government to strive for transparency to the people we serve while the other is the expectation of transparency from the Press.

First, I would like to address the transparency that is the responsibility of my position as Mayor of Johnson County. Transparency in government typically means that elected officials have an obligation to communicate to our citizens, be accountable for how we spend taxpayers' dollars, and make public records more accessible to them. What transparency does not mean is sharing information that is not complete, part of an active investigation, or in such a way that causes harm to a person or persons.

In the aforementioned Op/Ed, I was personally called out by its author as withholding information from the public. For the record, our office provided an official statement regarding this matter to *The Tomahawk*, as well as other local media and to the public at large. Since the incident referred to in the article published by the newspaper involved a judge and a courthouse staff member, two actions had to occur to ensure both received due process under the law.

Regarding the judge: the appropriate action was for the matter to be investigated by the Judicial Conduct Board. To ensure that the investigation was not impeded, my office respected their position to allow this branch of government to handle the issue according to their protocols. As of the writing of this response, I have not been contacted, interviewed, or updated by the Judicial Conduct Board or Tennessee Bureau of Investigation regarding the judge or the incident.

As the matter relates to the courthouse employee who was involved, transparency does not include sharing information that could defame that individual. With any incident involving cases of alleged wrongdoing, county staff must be given the right to have his or her individual situation reviewed in a fair, professional and private matter. To determine the truth and ensure a fair outcome for the employee and the county government office, a review should always be conducted. A release of partial information to any media source or public forum would violate an employee's due process.

While journalists may view any statement regarding “personnel matters” as an attempt to avoid their version of transparency, the simple truth is that by not following the laws regarding employee discipline and the right to due process, the County could be subject to litigation that could provide costly for taxpayers. This is an issue that all employers face and we have an obligation to respond accordingly.

Secondly, as mentioned at the onset of this response, I would like to flip the coin over and share my experience as it relates to transparency *from* the press. I have explained why we had to respond the way that we have regarding this matter and why no additional information has been released as of this date. When the investigation has been completed, it will be the responsibility of the Judicial Conduct Board to respond to the public regarding the incident involving the judge.

During the past month since the occurrence, multiple complaints have been shared to my office by courthouse staff who have felt harassed by the reporter covering this story. Not only have they received numerous calls at work during business hours but contacted on their personal cell phones after hours. These are hard-working, hourly staff members seek nothing more than to do their jobs on behalf of the citizens of Johnson County. They were not involved in the matter, did not have first-hand knowledge of the incident, and did not want to say anything that would jeopardize the investigation. This placed staff in an awkward and stressful situation.

Since the reporter for this piece had stated about a month ago that he was in receipt of information and proof from various sources regarding the incident, as well as the identity of the parties involved, perhaps his lack of transparency should also be examined. If he, indeed, had the information he needed to publish his story, as he stated, why didn't he? If his information was credible, but he decided not to publish his story, was he the one keeping the details from his readers? Or, perhaps, by having courthouse staff to “quote” would he have convenient people to blame should his story result in adverse reactions? We can only draw conclusions based on his reaction and diatribe in his Op/Ed.

Our county government has three branches: Executive, Legislative and Judicial. As it relates to the office for which I serve as Mayor, the Executive Branch, we will always strive for transparency and accountability to the people we serve. We will continue to focus our time, energy, and resources on the needs of the people of Johnson County.

Larry Potter, Mayor  
Johnson County, TN

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